

ENTERED

September 18, 2024

Nathan Ochsner, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISIONJOANNA BURKE,
Plaintiff,

v.

PHH MORTGAGE CORPORATION,
Defendant.§
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Civil Action No. 4:24-CV-0897

ORDER

Plaintiff filed this case in state court on December 21, 2023. ECF 1-4 at 2. Defendant PHH Mortgage Corporation (PHH) removed the case and the Court denied Plaintiff's Motion to Remand. ECF 18. This case is the most recent of many cases that Plaintiff has filed over the past several years to thwart foreclosure proceedings on real property located in Fort Bend, County, Texas.¹ *Id.* at 2. On August 5, 2024, PHH filed a Motion for Summary Judgment (ECF 27) and Motion to Declare Plaintiff Joanna Burke as a Vexatious Litigant (ECF 28). Plaintiff's Responses were due on August 26, 2024. On August 27, 2024, Plaintiff filed a Verified Motion for an Extension of Time seeking a 60-day extension of time to respond due to "ongoing and debilitating symptoms as a result of [Hurricane] Beryl,"

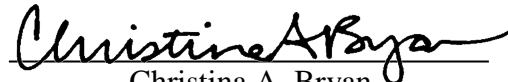
¹ The District Judge referred this case to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(A) and (B), the Cost and Delay Reduction Plan under the Civil Justice Reform Act, and Federal Rule of Civil Procedure 72. ECF 26.

which caused Plaintiff to lose power from July 7, 2024 to July 16, 2024. ECF 29. PHH is opposed to a 60-day extension of time due to Plaintiff's extensive litigation history and pattern of delay but does not oppose a short extension of time. ECF 30. It is therefore

ORDERED that Plaintiff's Motion for an Extension of Time (ECF 29) is GRANTED IN PART AND DENIED IN PART. It is further

ORDERED that Plaintiff's Responses to the pending Motion for Summary Judgment (ECF 27) and Motion to Declare Plaintiff a Vexatious Litigant (ECF 28) are due on or before October 7, 2024. Replies will be due 14 days after Responses are filed.

Signed on September 18, 2024, at Houston, Texas.


Christina A. Bryan
United States Magistrate Judge